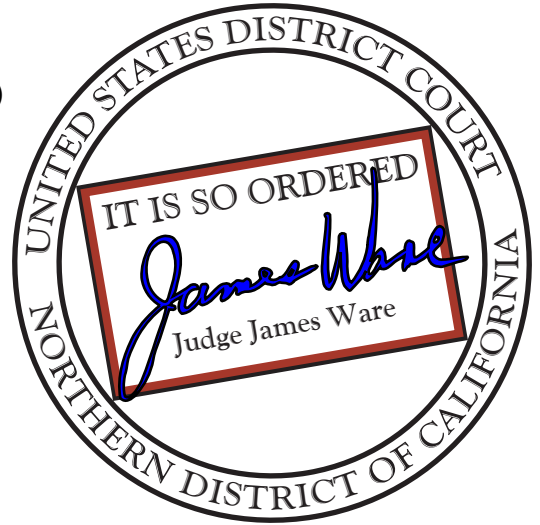


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Attorneys for Plaintiff



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

COMMUNITY HOSPITAL OF THE  
MONTEREY PENINSULA,

Plaintiff,

vs.

MICHAEL O. LEAVITT, Secretary of  
the United States Department of Health  
and Human Services,

Defendant.

CASE NO. C 06-3302 JW RS

**[PROPOSED] ORDER DISMISSING  
CASE WITH PREJUDICE AND  
VACATING MARCH 17, 2008  
STATUS CONFERENCE**

All parties in this lawsuit having filed a Joint Stipulation of Settlement and Dismissal with Prejudice, the Court hereby Orders that:

1. the currently scheduled March 17, 2008 Status Conference is vacated;
- and
2. this case is dismissed with prejudice.

The Clerk shall close this file.

Dated: March 12, 2008

  
JAMES WARE

United States District Judge

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1875 Century Park East, Suite 1600, Los Angeles, California 90067-2517.

On March 12, 2008, I served the following document(s) described as **[PROPOSED] ORDER DISMISSING CASE WITH PREJUDICE AND VACATING MARCH 17, 2008 STATUS CONFERENCE** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Scott N. Schools, Esq.  
United States Attorney  
Joann M. Swanson  
Chief, Civil Division  
Sara Winslow  
Assistant United States Attorney  
450 Golden Gate Ave., Box 36055  
San Francisco, CA 94102

Jon P. Neustadter, Esq.  
Hooper, Lundy & Bookman  
1875 Century Park East, 16<sup>th</sup> Fl.  
Los Angeles, CA 90067

**BY MAIL:** I am “readily familiar” with Hooper, Lundy & Bookman’s practice for collecting and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 12, 2008, at Los Angeles, California.

\_\_\_\_\_  
/s/  
Jodee Jones